

REMARKS/ARGUMENTS

Obvious Type Double-Patenting

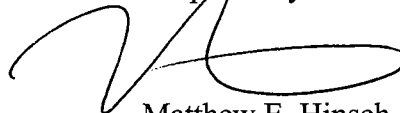
Claims 89, 90, 94-96, 98, 99 and 106 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-29 of U.S. Patent No. 6,740,324. In order to expedite prosecution of this application, Applicants hereby submit a terminal disclaimer. The terminal disclaimer disclaims the terminal portion of the term of a patent granted on the instant application over U.S. Patent No. 6,740,324. Applicants note that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection. *See*, MPEP §804.02. Accordingly, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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